

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Max Gross	Team: Team # 6	CCRB Case #: 201004695	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 04/08/2010 10:20 PM	Location of Incident: § 87(2)(b)	Precinct: 30	18 Mo. SOL 10/8/2011	EO SOL 10/8/2011	
Date/Time CV Reported Fri, 04/09/2010 11:37 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 04/09/2010 11:37 AM		
Complainant/Victim	Type	Home Address			
Subject Officer(s)	Shield	TaxID	Command		
1. SGT Gregory Pekera	04870	919546	PBMN TF		
Officer(s)	Allegation			Investigator Recommendation	
A.SGT Gregory Pekera	Discourtesy: Sergeant Gregory Pekera spoke obscenely to § 87(2)(b)				

Case Summary

On April 9, 2010, § 87(2)(b) filed this complaint with the CCRB by phone. § 87(2)(b) also filed a complaint with the Internal Affairs Bureau (IAB) on April 9, 2010, log 10-17293. This case was forwarded to the CCRB on April 12, 2010, when it was assessed as a duplicate complaint. On April 15, 2010, § 87(2)(b) was contacted by telephone and he provided the following narrative:

On April 8, 2010, at approximately 10:00pm, § 87(2)(b) was driving near the intersection of § 87(2)(b) and § 87(2)(b) in Manhattan, searching for parking. § 87(2)(b) pulled his vehicle behind a car which was vacating a parking spot. While waiting, a marked RMP pulled behind him and sounded its horn for him to drive forward. Traffic was free-flowing next to § 87(2)(b) so he turned on the interior lights and attempted to motion the RMP to pass him. However, the RMP continued to sound its horn and did not pull past him. Two officers, including an officer identified by the CCRB as Sergeant Gregory Pekera of Patrol Borough Manhattan North Task Force, exited the RMP and approached § 87(2)(b)'s vehicle. § 87(2)(b) rolled down his window and told Sergeant Pekera that he was a retired member of service and produced his retired police officer identification. Sergeant Pekera took the identification into his hand and said, "Are you fucking kidding me?" (**Allegation A**). § 87(2)(b) attempted to explain that he was just waiting for a parking spot, to which Sergeant Pekera replied, "When I blow my fucking horn, you keep your mouth shut and you pull the fuck off. Get out of here you fucking asshole" (**Allegation A**). § 87(2)(b) drove off from the scene without further incident. Later on that evening, § 87(2)(b) obtained the telephone number of Patrol Borough Manhattan North Task Force and he attempted to contact Sergeant Pekera seeking an apology. Sergeant Pekera was placed on the phone, but instead of apologizing for the interaction, he "cursed out" § 87(2)(b) again. § 87(2)(b) did not specify the profanity he used) before hanging up on him.

§ 87(2)(b) provided Sergeant Pekera's full name and specified that he worked in the auto crime unit of Manhattan North Task Force. He explained he obtained this information after calling the Manhattan North Task Force command after seeing a decal on the back of the RMP. § 87(2)(g)

After an extended telephone conversation on the mediation program's merits in analogous situations, § 87(2)(b) declined to mediate his complaint. § 87(2)(b)

After declining to participate in the mediation program, § 87(2)(b) agreed to appear at the CCRB to provide a formal statement to initiate an investigation. On May 5, 2010, § 87(2)(b) missed his scheduled appointment at the CCRB without calling to cancel or reschedule. On May 6, 2010, § 87(2)(b) was contacted by telephone in order to reschedule his appointment, and he expressed interest in withdrawing his complaint. He explained that he was no longer interested in pursuing the complaint as he was skeptical about the outcome of an investigation and reiterated that he was still not interested in mediation. § 87(2)(b) explained that he was withdrawing his complaint on his own free will and that no one from the NYPD or CCRB influenced his decision. § 87(2)(b)'s withdrawal was recorded digitally on a file labeled 201004695_20100506_1201.wav which is digitally embedded in investigative action (IA) #8 of the case file's electronic catalogue. On May 7, 2010, Supervising Investigator Vanessa Rosen reviewed § 87(2)(b)'s withdrawal statement and determined it complied with agency standards. On May 6, 2010, § 87(2)(b) was mailed a complaint withdrawn letter which will be included in

the case file upon its return. § 87(2)(g)

Team: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date